

FACT SHEET

FOR PERMIT UNDER 1984 RCRA AMENDMENTS PERTAINING TO
SOLID AND HAZARDOUS WASTE MANAGEMENT AT
DIVERSIFIED SCIENTIFIC SERVICES, INC
KINGSTON, TENNESSEE
EPA I.D. NUMBER: TND 982 109 142

This fact sheet is prepared pursuant to 40 CFR §124.8 for the draft permit developed by the U.S. Environmental Protection Agency (EPA) for Diversified Scientific Services, Inc (DSSI). If issued, this federal permit along with the Operating Permit from the Tennessee Department of Environment and Conservation (TDEC) will cover all applicable sections of the Resource Conservation and Recovery Act (RCRA) except for those requirements which become effective by statute, are promulgated under 40 CFR Part 268 restricting placement of hazardous waste in or on the land or are promulgated under 40 CFR Part 264 of this chapter regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of surface impoundment, waste pile, and landfill units, as specified in 40 CFR §270.4. Together, these permits constitute a complete RCRA Hazardous Waste Permit for DSSI (i.e., the RCRA Permit).

A. RCRA PERMIT PROCESS/STRUCTURE

The purpose of the permitting process is to afford EPA and interested citizens the opportunity to evaluate the ability of the Permittee to comply with the applicable requirements promulgated under the Resource Conservation and Recovery Act (RCRA), as amended by the 1984 Hazardous and Solid Waste Amendments (HSWA). EPA administers the statutory requirements of HSWA for which Tennessee is not authorized. The remaining sections of this fact sheet will identify the federal portion of the RCRA Permit as the "HSWA Permit." The remaining portion of DSSI's RCRA Permit, which is administered by TDEC, will be identified as the "Operating Permit."

B. HSWA PERMIT STRUCTURE

The HSWA Permit is divided into five (5) parts: a cover sheet setting forth the basic legal authority for issuing the permit; a section on standard conditions applicable to all hazardous waste management facilities (Part I); a section on the corrective action conditions applicable to

this particular facility (Part II); a section addressing applicable land disposal restrictions (Part III); and a section addressing the emission standards for tanks, containers, and surface impoundments (Part IV).

C. FACILITY DESCRIPTION AND HSWA APPLICABILITY

DSSI is located near Tennessee Highway 58, approximately 13 miles southwest of Oak Ridge, Tennessee, on approximately eighty (80) acres. The facility was issued a hazardous waste operating permit from TDEC on August 4, 1989, and has been in operation since 1990. Management of hazardous waste occurs in a 22,000 square-foot processing facility located in the southeast portion of the site. The facility includes hazardous waste container and tank storage and treatment units, and an industrial boiler system used to treat hazardous waste. The boiler system is designed for combustion of waste fuels with recovery of thermal energy. The recovered energy, in the form of saturated steam, is used in-plant to provide the heating requirements of the facility and the boiler system equipment and to operate a turbine/induction generator to produce electricity. Because of the complexity of completing the permitting process for the boiler system, a final permit decision for this unit will be made by TDEC at a later time. Until a final permit decision is made, DSSI is authorized to continue operating the boiler under interim status standards contained in 40 CFR Part 266, Subpart H and the TDEC counterpart regulations.

EPA's HSWA Permit addresses specific areas of the facility which are subject to the corrective action requirements of HSWA. These specific areas of the facility are classified as solid waste management units (SWMUs) or areas of concern (AOCs). SWMUs are any units which have been used for the treatment, storage or disposal of solid waste at any time, irrespective of whether the unit is or ever was intended for the management of solid waste. AOCs are any areas having a probable release of a hazardous waste or hazardous constituent which is not from a SWMU and is determined to pose an current or potential threat to human health or the environment. Based on information submitted by the Permittee, information contained in state and EPA records, and the RCRA Facility Assessment (RFA) report, prepared by TDEC, dated April 5, 1989, and an Addendum dated July 2000, sixteen (16) SWMUs and zero (0) AOCs have been identified at this time. Justifications for actions required by the draft HSWA Permit are contained in documentation included in EPA's

administrative files.

Issuance of the HSWA Permit will provide EPA with the authority to require necessary corrective action at identified SWMUs or AOCs. EPA and TDEC have determined that none of the sixteen (16) SWMUs currently identified in the permit require further action at this time. Therefore, conditions related to conducting Confirmatory Sampling (CS), Interim Measures (IM), RCRA Facility Investigation (RFI), Corrective Measures Study (CMS), and selection of a Final Remedy contained in Part II of the permit are not currently applicable for DSSI. However, the permit includes provisions for DSSI to notify EPA of newly identified releases from previously identified SWMUs or AOCs, newly identified SWMUs and newly identified AOCs which are discovered after permit issuance. If any future releases result in contamination that may present a hazard to human health or the environment, the corrective action conditions in Part II of the permit will become applicable.

The HSWA Permit also requires notification of imminent hazards, and when applicable, compliance with the requirements developed under land disposal restrictions and organic air emission standards.

D. PERMIT CONDITIONS

HSWA PERMIT COVER PAGE

The Cover Page cites authority for issuance of the HSWA Permit and establishes the term of the permit.

PART I. STANDARD PERMIT CONDITIONS

Part I of the permit sets forth standard administrative conditions applicable to all hazardous waste management facilities. Unless otherwise specified, all citations refer to the regulations as codified in Title 40 of the Code of Federal Regulations (40 CFR).

<u>Activity</u>	<u>Regulation (40 CFR)</u>	<u>Permit Condition</u>
Effect of Permit	§270.4 §270.30(g)	I.A.
Permit Actions	§270.30(f) §270.41	I.B.

<u>Activity</u>	<u>Regulation (40 CFR)</u>	<u>Permit Condition</u>
	§270.42 §270.43	
Severability	§124.16	I.C.
Duty to Comply	§270.30(a)	I.D.1.
Duty to Reapply	§270.10(h) §270.30(b)	I.D.2.
Obligation for Corrective Action	§264.101 §270.1(c) §270.51	I.D.3.
Need to Halt or Reduce Activity	§270.30(c)	I.D.4.
Duty to Mitigate	§270.30(d)	I.D.5.
Proper Operation and Maintenance	§270.30(e)	I.D.6.
Duty to Provide Information	§264.74 §270.30(h)	I.D.7.
Inspection and Entry	§270.30(i)	I.D.8.
Monitoring and Records	§264.74(b) §270.30(j)	I.D.9.
Reporting Planned Changes	§270.30(1)(1)&(2)	I.D.10.
Anticipated Noncompliance	§270.30(1)(2)	I.D.11.
Transfer of Permit	§264.12(c) §270.30(1)(3) §270.40	I.D.12.
Compliance Schedules	§270.33	I.D.13.
Twenty-four Hour Reporting	§264.56(d) & (j) §270.30(1)(6) §270.30(h)	I.D.14.

<u>Activity</u>	<u>Regulation (40 CFR)</u>	<u>Permit Condition</u>
Other Noncompliance	§270.30(1)(10)	I.D.15.
Other Information	§270.30(1)(11)	I.D.16.
Signatory Requirement	§270.11 §270.30(k)	I.E.
Confidential Information	§270.12, Part 2	I.F.
Definitions	Part 124 Part 260 Part 261 Part 264 Part 270 RCRA	I.G.

PART II. SPECIFIC PERMIT CONDITIONS

Part II of the permit sets forth the specific conditions for this facility with which the Permittee must comply.

<u>PERMIT CONDITION</u>	<u>JUSTIFICATION</u>
II.A. Applicability	40 CFR §264.101(a) requires that corrective action be instituted as necessary to protect human health and the environment for all releases of hazardous waste or constituents from any solid waste management units, regardless of the time that waste was placed in the unit.
II.B. Notification and Assessment for Newly Identified SWMUs and AOCs	Releases at SWMUs or AOCs 40 CFR §270.14(d) gives EPA authority to require the Permittee to submit specific information for each solid waste management unit at a facility.
II.C. Notification Requirements for Newly Discovered	40 CFR §270.14(d)(3) also gives EPA authority to require the

PERMIT CONDITION

JUSTIFICATION

	Permittee to conduct and provide the results of sampling and analysis where the Regional Administrator ascertains it is necessary to determine whether a more complete investigation is necessary.
II.D. Confirmatory Sampling	In order to decide whether corrective action under 40 CFR §264.101 is required, it is necessary to characterize the nature and extent of releases, identify exposure pathways, and evaluate effects on human health and the environment.
II.E. RCRA Facility Investigation	
II.F. Interim Measures	Interim measures may be necessary to protect human health and the environment. Therefore, justification for this condition is identical to those stated for Condition II.G. 40 CFR §270.33(a) requires progress reports if the time to complete any interim activity exceeds one year.
II.G. Corrective Measures Study	40 CFR §264.101(a) requires corrective action as necessary to protect human health and the environment for all releases of hazardous waste or constituents from any solid waste management unit at a treatment, storage, or disposal facility seeking a permit under Subtitle C, regardless of the time at which waste was placed in such unit. 40 CFR §264.101(b) requires assurance of financial responsibility for completing corrective action.
II.H. Remedy Approval and Permit Modification	
II.I. Modification of the Corrective Action Schedule of Compliance	

PERMIT CONDITION

JUSTIFICATION

	40 CFR §264.101(c) requires corrective action beyond the facility boundary. Once a final remedy has been selected, it will be officially incorporated into the permit through a permit modification (40 CFR §270.41 and 40 CFR §270.42). 40 CFR §264.101(b) requires the permit to contain schedules of compliance for corrective action which cannot be completed prior to issuance.
II.J. Plan and Report Requirements	40 CFR §270.11 and §270.30(k) require that all applications, reports, and/or information submitted to the Regional Administrator be signed and certified.
II.K. Approval/Disapproval of Submittals	In order to facilitate the corrective action process required under 40 CFR §264.101, the Permittee is given the opportunity, under these conditions, to attempt informal resolution of any disagreement regarding the Regional Administrator's revision of a submittal or disapproval of a revised submittal.
II.L. Dispute Resolution	

PART III. LAND DISPOSAL RESTRICTIONS

Part III of this permit outlines land disposal restrictions in accordance with 40 CFR Part 268.

PART IV. ORGANIC AIR EMISSIONS

Part IV of this permit sets forth requirements to limit organic emissions from tanks, containers, and surface impoundments in accordance with 40 CFR Part 264, Subpart CC.

Pursuant to 40 CFR §264.1080(a)(6), DSSI is currently exempt from the requirements of 40 CFR Part 264, Subpart CC, because all container and tank storage units are used solely for the management of mixed radioactive-hazardous waste in accordance with all applicable regulations under the Atomic Energy Act and the Nuclear Waste Policy Act.

E. VARIANCES

This permit does not provide for variances to the regulations cited above.

F. PROCEDURES

The issuance of a complete RCRA Hazardous Waste Permit to DSSI will be coordinated by both the EPA and TDEC. The portion of the RCRA Permit issued by the State of Tennessee will cover those portions of RCRA, including HSWA provisions, for which it has final authorization to administer. Consequently, the federal portion of the RCRA Permit will address those provisions which the state has not received final authorization to administer. Since the State portion of the RCRA Permit is written to include those conditions contained in the federal permit, TDEC may assume administration for those requirements contained in the federal portion of the RCRA Permit upon receiving final authorization for those provisions.

The regulations under 40 CFR §124.10 require that a 45-day comment period be instituted for each draft permit under the Resource Conservation and Recovery Act. The comment period will begin on August 7, 2000, which is the date of publication of the public notice in major local newspapers of general circulation, and will end on September 20, 2000. The public notice will also be broadcast over local radio stations.

An informal public availability session has been scheduled for September 12, 2000, beginning at 6:00 pm e.d.t., at the Kingston Community Center located in Kingston, Tennessee. Representatives from EPA and TDEC will be available during this informal session to answer questions related to the DSSI draft permit. A formal public hearing has been scheduled to begin at 6:30 pm. The purpose of the public hearing is to accept official comments on the draft permit. All oral and written comments received during the public hearing will become part of the administrative record. EPA and TDEC will make a final permit decision considering all

information contained in the administrative record. The public hearing will also be held at the Kingston Community Center.

The draft federal HSWA permit and fact sheet may be viewed and copied at the EPA Regional Office in Atlanta, Georgia between the hours of 8:00 am to 4:30 pm, Monday through Friday, except legal holidays. Additional copies of the draft federal permit and fact sheet will be available for public review at the Kingston Public Library, 1004 Bradford Way, Kingston, Tennessee, (865)376-9905, and the TDEC, Division of Solid Waste Management, 5th Floor L&C Tower, 401 Church Street, Nashville, Tennessee, (615) 532-0828. Also, a copy of the draft permit and this fact sheet may be viewed via the Internet at the following URL:

<http://www.epa.gov/region4/waste/rcra/rpb.htm#rpbper>.

Persons wishing to submit written comments on the permit application or the proposed permit conditions should send them to the Environmental Protection Agency, ATTENTION: Mr. Narindar Kumar, Chief, RCRA Branch, Waste Management Division, at the Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303. All comments must be received no later than midnight, September 20, 2000.

When EPA makes a final permit decision, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. The final permit decision shall become effective thirty (30) days after the service of notice of the decision unless a later date is specified or review is requested under 40 CFR §124.19. If no comments were received requesting a change in the draft permit, the final permit shall become effective immediately upon issuance.

G. CONTACT PERSONS

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